

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARIO CAVIN,

Petitioner,

Case No. 1:05-CV-140

v.

Hon. Richard Alan Enslen

HUGH WOLFENBARGER,

Respondent.

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FINAL ORDER

In accordance with the Opinion issued this date,

IT IS HEREBY ORDERED that Petitioner's Objections (Dkt. No. 70) are **DENIED**, the Report and Recommendation of the Magistrate Judge (Dkt. No. 65) is **ADOPTED AS MODIFIED**, and the Petition for Writ of Habeas Corpus (Dkt. No. 1) is **DENIED WITH PREJUDICE**.

IT IS FURTHER ORDERED that Petitioner's Motion for Evidentiary Hearing (Dkt. No. 72) is **DENIED**.

IT IS FURTHER ORDERED that a certificate of appealability is **DENIED** as to all grounds asserted.

DATED in Kalamazoo, MI:
September 26, 2008

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE